



PATENT / DOCKET NO.: 7487RD08  
CUSTOMER NO.: 27683

RECEIVED  
MAY 08 2003  
TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

James B. Camden  
Joseph H. Gardner  
David T. Stanton

§ Group Art Unit: 1614

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§  
§ Examiner: Not Yet Assigned

Serial No. 09/758,853

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Filed: January 11, 2001

For: Viral Treatment

**TRANSMITTAL LETTER**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Enclosed are the following for the above identified patent:

1. Power of Attorney by Assignee; Certification Under 37 C.F.R. §3.73(b) with attached Notice of Recordation and assignments cited therein;
2. Statement of Small Entity Status Under 37 C.F.R. §1.27(c) with attached Notice of Recordation and assignments cited therein;
3. Change of Correspondence Address (Patent); and
4. a return postcard.

No fees are believed due for the filing of the present documents, however, should any fees be deemed necessary, the Commissioner is hereby authorized to charge any fees which may be required to Deposit Account 08-1394.

Respectfully submitted,

*Gloria L. Norberg*

Gloria L. Norberg  
Registration No. 36,706

Date: April 25, 2003

Haynes and Boone, LLP  
901 Main Street, Suite 3100  
Dallas, TX 75202-3789  
(512) 867-8528  
(512) 867-8632 – Fax

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231

04/25/2003

DATE

*Julie Schwartz*

TYPE OR PRINT NAME

*Julie Schwartz*

SIGNATURE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



#11  
JLP  
10/8/03

re application of:

James B. Camden  
Joseph H. Gardner  
David T. Stanton

Serial No. 09/758,853

§ Group Art Unit: 1614

Filed: January 11, 2001

§ Examiner: Not Yet Assigned

For: Viral Treatment

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**STATEMENT OF SMALL ENTITY STATUS UNDER 37 C.F.R. §1.27(c)**

The assignee of the above-cited patent application is the University of Arizona Foundation pursuant to an assignment recorded with the Patent and Trademark Office on October 30, 2002 at Reel/Frame: 013447/0227, a copy of which is attached hereto including Form PTO-1595 and Addendum A.

The University of Arizona Foundation is an Arizona nonprofit corporation and qualifies as a Small Entity for purposes of paying Patent Office fees according to 37 CFR 1.27 (a)(3). The present paper is an assertion of entitlement to small entity status on the part of the University of Arizona Foundation according to 37 CFR 1.27(c).

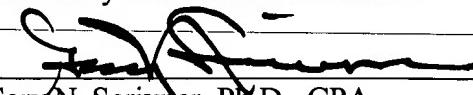
The undersigned representative is empowered to sign this Statement on behalf of the above-identified assignee and acknowledges the duty to file, in this application or patent, notification of any changes in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28).

The undersigned hereby declares that all statements made herein of the undersigned's own knowledge are true; and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

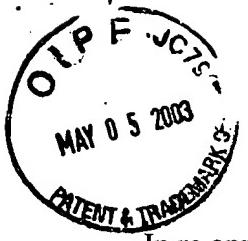
University of Arizona Foundation

Date

4/7/03

  
Gary N. Scrivner, Ph.D., CPA  
Vice President, Finance and Administration

Attachments: Notice of Recordation, Assignments, Addendum A, and PTO-1595



PATENT / DOCKET NO.: 7487RDUS  
CUSTOMER NO.: 27683

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re application of:**

James B. Camden  
Joseph H. Gardner  
David T. Stanton

Serial No. 09/758,853

Filed: January 11, 2001

For: Viral Treatment

Group Art Unit: 1614

Examiner: Not Yet Assigned

Examiner: Not Yet Assigned

**POWER OF ATTORNEY BY ASSIGNEE;  
CERTIFICATION UNDER 37 C.F.R. §3.73(b)**

As the undersigned representative of the Assignee, the University of Arizona Foundation, an Arizona nonprofit corporation, I hereby revoke all powers of attorney previously given and hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

David L. McCombs (Reg. No. 32,271); Jeffrey M. Becker (Reg. No. 35,442); James R. Bell (Reg. No. 26,528); Timothy F. Bliss (Reg. No. 50,925); Randall C. Brown (Reg. No. 31,213); Randall E. Colson (Reg. No. 40,566); Michael A. Davis, Jr. (Reg. No. 35,488); Ruben C. DeLeon (Reg. No. 37,812); Andrew S. Ehmke (Reg. No. 50,271); Rita M. Irani (Reg. No. 31,028); Warren B. Kice (Reg. No. 22,732); J. Andrew Lowes (Reg. No. 40,706); Todd Mattingly (Reg. No. 40,298); John Montgomery (Reg. No. 31,124); Bill R. Naifeh (Reg. No. 44,962); Gloria L. Norberg (Reg. No. 36,706); David M. O'Dell (Reg. No. 42,044); and Richard V. Wells (Reg. No. 53,757).

Please address all correspondence and telephone calls regarding this application to:

**Customer # 027683**  
Gloria L. Norberg  
Agent for Applicants  
Haynes and Boone, LLP  
901 Main Street, Suite 3100  
Dallas, TX 75202-3789  
(512) 867-8528  
(512) 867-8632 – Fax

The undersigned representative of the above-identified assignee certifies that the above-identified assignee is the assignee of the entire right, title and interest in the above-identified patent application by virtue of a chain of title from the inventors of the above-identified patent application to earliest priority application USSN 09/538,006 (then Attorney Docket No: 7487R) to the above-identified assignee as shown by the following documents:

Assignment from James Berger Camden, Joseph Herman Gardner, and David Thomas Stanton to The Procter & Gamble Company dated March 27, 2000; and

Assignment from The Procter & Gamble Company to the University of Arizona Foundation recorded at Reel/Frame 013447/0227 on October 30, 2002.

A copy of each of the above-listed assignments in the chain of title and a copy of the Notice of Recordation are attached hereto.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the above-identified assignee.

The undersigned hereby declares that all statements made herein of the undersigned's own knowledge are true; and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

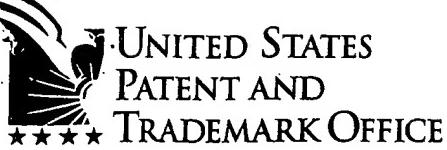
 Date 4/7/03

University of Arizona Foundation



Gary N. Scribner, Ph.D., CPA

Vice President, Finance and Administration



UNITED STATES

PATENT AND

TRADEMARK OFFICE

RECEIVED  
Michael Best & Friedrich

16012-9023

MARCH 04, 2003

PTAS

MICHAEL BEST & FRIEDRICH LLP  
TIMOTHY M. KELLEY  
100 EAST WISCONSIN AVENUE  
MILWAUKEE, WI 53202-4108

MAR 10 2003

DOCKETING  
MILWAUKEE, WI



Chief Information Officer  
Washington, DC 20231  
[www.uspto.gov](http://www.uspto.gov)

\*102273440A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/30/2002

REEL/FRAME: 013447/0227

NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

PROCTER & GAMBLE COMPANY, THE

DOC DATE: 10/24/2002

ASSIGNOR:

UNIVERSITY OF ARIZONA FOUNDATION

1111 NORTH CHERRY AVENUE

TUCSON, ARIZONA 85721

SERIAL NUMBER: 08857811

FILING DATE: 05/16/1997

PATENT NUMBER: 6506783

ISSUE DATE: 01/14/2003

SERIAL NUMBER: 09627611

FILING DATE: 07/28/2000

PATENT NUMBER: 6518269

ISSUE DATE: 02/11/2003

SERIAL NUMBER: 09645427

FILING DATE: 08/24/2000

PATENT NUMBER: 6498188

ISSUE DATE: 12/24/2002

SERIAL NUMBER: 09670166

FILING DATE: 09/26/2000

PATENT NUMBER:

ISSUE DATE:

REC'D  
10/3/2003

SERIAL NUMBER: 09703955 PATENT NUMBER:	FILING DATE: 11/01/2000 ISSUE DATE:
SERIAL NUMBER: 09748652 PATENT NUMBER:	FILING DATE: 12/22/2000 ISSUE DATE:
SERIAL NUMBER: 09758853 PATENT NUMBER:	FILING DATE: 01/11/2001 ISSUE DATE:
SERIAL NUMBER: 09792112 PATENT NUMBER:	FILING DATE: 02/23/2001 ISSUE DATE:
SERIAL NUMBER: 10106429 PATENT NUMBER: 6479526	FILING DATE: 03/26/2002 ISSUE DATE: 11/12/2002
SERIAL NUMBER: 08420913 PATENT NUMBER: 5629341	FILING DATE: 04/12/1995 ISSUE DATE: 05/13/1997
SERIAL NUMBER: 08771193 PATENT NUMBER: 5767138	FILING DATE: 12/20/1996 ISSUE DATE: 06/16/1998
SERIAL NUMBER: 09259969 PATENT NUMBER: 6077862	FILING DATE: 03/01/1999 ISSUE DATE: 06/20/2000
SERIAL NUMBER: 09408664 PATENT NUMBER: 6177460	FILING DATE: 09/29/1999 ISSUE DATE: 01/23/2001
SERIAL NUMBER: 09538006 PATENT NUMBER: 6194430	FILING DATE: 03/29/2000 ISSUE DATE: 02/27/2001
SERIAL NUMBER: 09538005 PATENT NUMBER: 6225307	FILING DATE: 03/29/2000 ISSUE DATE: 05/01/2001
SERIAL NUMBER: 09535173 PATENT NUMBER: 6245788	FILING DATE: 03/27/2000 ISSUE DATE: 06/12/2001
SERIAL NUMBER: 09535172 PATENT NUMBER: 6258831	FILING DATE: 03/27/2000 ISSUE DATE: 07/10/2001
SERIAL NUMBER: 09264942 PATENT NUMBER: 6262093	FILING DATE: 03/09/1999 ISSUE DATE: 07/17/2001
SERIAL NUMBER: 09375173 PATENT NUMBER: 6265427	FILING DATE: 08/16/1999 ISSUE DATE: 07/24/2001
SERIAL NUMBER: 09627610 PATENT NUMBER: 6290929	FILING DATE: 07/28/2000 ISSUE DATE: 09/18/2001
SERIAL NUMBER: 09468039 PATENT NUMBER: 6297384	FILING DATE: 12/21/1999 ISSUE DATE: 10/02/2001
SERIAL NUMBER: 09663578 PATENT NUMBER: 6340696	FILING DATE: 09/15/2000 ISSUE DATE: 01/22/2002

013447/0227 PAGE 3

SERIAL NUMBER: 09748651  
PATENT NUMBER: 6362207

FILING DATE: 12/22/2000  
ISSUE DATE: 03/26/2002

SERIAL NUMBER: 09670170  
PATENT NUMBER: 6380232

FILING DATE: 09/26/2000  
ISSUE DATE: 04/30/2002

SERIAL NUMBER: 09578281  
PATENT NUMBER: 6384049

FILING DATE: 05/25/2000  
ISSUE DATE: 05/07/2002

SERIAL NUMBER: 09871565  
PATENT NUMBER: 6384064

FILING DATE: 05/30/2001  
ISSUE DATE: 05/07/2002

SERIAL NUMBER: 09794968  
PATENT NUMBER: 6392052

FILING DATE: 02/27/2001  
ISSUE DATE: 05/21/2002

SERIAL NUMBER: 09670169  
PATENT NUMBER: 6407105

FILING DATE: 09/26/2000  
ISSUE DATE: 06/18/2002

SERIAL NUMBER: 09812094  
PATENT NUMBER: 6410575

FILING DATE: 03/19/2001  
ISSUE DATE: 06/25/2002

SERIAL NUMBER: 09374717  
PATENT NUMBER: 6423734

FILING DATE: 08/13/1999  
ISSUE DATE: 07/23/2002

MARY BENTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

11-06-2002



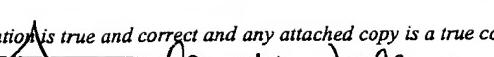
102273440

Box Assignments, Commissioner of Patents and Trademarks, Washington, D. C. 20231 United States Postal Service Express Mail Mailing Label No.  
EV222584220US

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): The Procter & Gamble Company		2. Name and address of receiving party(ies):  Name: University of Arizona Foundation  Address: 1111 North Cherry Avenue Tucson, Arizona 85721
3. Nature of Conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other: Execution Date: <u>October 24, 2002</u>		Additional name(s) & address(es) attached? <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. Application numbers or patent numbers: See Attached Addendum A		
Additional numbers attached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
5. Name and address of party to whom correspondence concerning document should be mailed: Timothy M. Kelley Michael Best & Friedrich LLP 100 East Wisconsin Avenue Milwaukee, Wisconsin 53202-4108		6. Total number of applications and patents involved: 30  7/1 OCT 30 AM 7:28 FINANCE SECTION
Phone: (414) 271-6560		7. Total fee (37 CFR 3.41): ..... \$ 1,200.00 <input checked="" type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Deficiencies in fee charged to Deposit Account
8. Deposit account number: <u>13-3080</u>		

**DO NOT USE THIS SPACE**

9.	Statement and signature.
<i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i>	
Timothy M. Kelley (Reg. No. 34,201) Name of Person Signing	 Signature
October 30, 2002 Date	
Attorney File <u>076012-9023</u>	Total number of pages including cover sheet, attachments, and document: 3
OMB No. 0651-0011 (exp. 4/94)	

cc: Docketing

11/05/2002 6TOM11 00000157 5629341

01 FC:8021

1200/00 DP

## ASSIGNMENT OF PATENT APPLICATIONS

This Assignment is made effective August 28, 2002, between The Procter & Gamble Company, an Ohio corporation, having its principal place of business at One Procter & Gamble Plaza, Cincinnati, OH 45208 (hereinafter referred to as "Assignor") and University of Arizona Foundation, having its principal place of business at 1111 North Cherry Avenue, Tucson, Arizona 85721 (hereinafter referred to as "Assignee").

### WITNESSETH:

WHEREAS, Assignor has rights in and owns the United States and International patents and patent applications identified in Addendum A attached hereto.

WHEREAS, pursuant to that certain Donation Agreement dated August 28, 2002, the Assignor and Assignee have agreed to the assignment hereinafter set forth.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged by Assignor:

1. Assignor hereby agrees to assign and assigns to Assignee, its successors and assigns, absolutely and forever all its right, title and interest to any and all patents and patent applications, and to any and all rights relating to said patents and patent applications owned by Assignor and identified in Addendum A attached hereto.

2. Assignor further assigns to Assignee all its rights to sue for past infringement of said patents and to recover any and all damages and awards for such infringement.

3. Assignor further covenants and agrees that it will, upon demand of Assignee, its successors or assigns, and without further consideration, execute any and all papers necessary or deemed to be necessary by Assignee or its successors or assigns to be a complete fulfillment of the intent and purpose of this Assignment.

IN WITNESS WHEREOF, Assignor has caused this instrument to be executed by its duly authorized officers.

---

THE PROCTER & GAMBLE COMPANY

---

Date: 10/24/02

By:



---

Linda D. Rohrer  
Assistant Secretary

**ADDENDUM A**

**UNITED STATES PATENTS AND PATENT APPLICATIONS**

<b>Application/Patent No.</b>	<b>Filed</b>
5,629,341	05/13/1997
5,767,138	06/16/1998
6,077,862	06/20/2000
6,177,460	01/23/2001
6,194,430	02/27/2001
6,225,307	05/01/2001
6,245,788	06/12/2001
6,258,831	07/10/2001
6,262,093	07/17/2001
6,265,427	07/24/2001
6,290,929	09/18/2001
6,297,384	10/02/2001
6,340,696	01/22/2002
6,362,207	03/26/2002
6,380,232	04/30/2002
6,384,049	05/07/2002
6,384,064	05/07/2002
6,392,052	05/21/2002
6,407,105	06/18/2002
6,410,575	06/25/2002
6,423,734	07/23/2002
08/857,811	05/16/1997
09/627,611	07/28/2000
09/645,427	08/24/2000
09/670,166	09/26/2000
09/703,955	11/01/2000
09/748,652	12/22/2000
09/758,853	01/11/2001
09/792,112	02/23/2001
10/106,429	03/26/2002

**INTERNATIONAL PATENT APPLICATIONS**

<b>International Application No.</b>	<b>Filed</b>
PCT US01/16690	05/23/2001
PCT US01/23426	07/25/2001
PCT US01/23427	07/25/2001
PCT US01/29261	09/19/2001
PCT US01/45019	10/31/2001

A S S I G N M E N T

I, James Berger Camden of West Chester, County of Butler, State of Ohio, Joseph Herman Gardner, of Cincinnati, County of Hamilton, State of Ohio, and David Thomas Stanton, of Hamilton, County of Butler, State of Ohio, have made a certain new and useful invention as set forth in an application for United States Letters Patent entitled Viral Treatment, Attorney's Docket 7487R, executed by us, respectively, the \_\_\_\_\_ day of March, 2000, the 27th day of March, 2000, and the 27th day of March, 2000, Serial No. 091539.606, filed the \_\_\_\_\_ day of March, 2000, (the hereinafter named assignee being hereby authorized to insert said Serial Number and filing date when ascertained):

I made said invention set forth in said patent application while employed by The Procter & Gamble Company, and acknowledge my obligation at the time the invention was made to assign said invention to The Procter & Gamble Company. Pursuant to said obligation, I assign to The Procter & Gamble Company, its legal representatives, successors and assigns, the entire right, title and interest, including the right to claim priority of the filing date of said patent application under international conventions, in said invention as set forth in said patent application, and in all patents of the United States and of any foreign country which may be issued for said invention, as fully and completely as the same would have been held by me had this assignment not been made. The entire right, title and interest shall vest irrevocably in The Procter & Gamble Company. I further agree upon request, without additional compensation but at no expense to me, to execute or assent to foreign applications, and to execute all other legal documents as may be necessary or desirable to vest the enjoyment of the rights assigned to The Procter & Gamble Company, its legal representatives, successors and assigns, or as said Company may direct.

AND I request the Commissioner of Patents and Trademarks to issue any Letters Patent of the United States which may be issued for said invention to said The Procter & Gamble Company, its legal representatives, successors or assigns, as the sole owner of the entire right, title, and interest in said patent and the invention covered thereby.

*James Berger Camden  
Joseph H. Gardner  
David T. Stanton*

State of OHIO \_\_\_\_\_ }  
} SS  
County of Hamilton \_\_\_\_\_ }

On this 27th day of March, 2000, before me personally appeared James Berger Camden to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

*J. D. Dehl*

Page -2-

7487R

ASSIGNMENT

State of OHIO \_\_\_\_\_ }

} SS

County of Hamilton \_\_\_\_\_ }

On this 27th day of March, 2000, before me personally appeared Joseph Herman Gardner to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

Lori Deatherage

LORI L. DEATHERAGE, Notary Public  
In and for the State of Ohio  
My Commission Expires February 1, 2003

State of OHIO \_\_\_\_\_ }

} SS

County of Hamilton \_\_\_\_\_ }

On this 27th day of March, 2000, before me personally appeared David Thomas Stanton to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

Lori Deatherage

LORI L. DEATHERAGE, Notary Public  
In and for the State of Ohio  
My Commission Expires February 1, 2003